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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on August 7, 2006 to facsimile no. (571) 273-8300.

  
Barbara Lopez

Confirmation No. 7894

Applicant : Kevin Woehr  
Application No. : 10/779,370  
Filed : February 13, 2004  
Title : SHORT CATHETER

Grp./Div. : 3763  
Examiner : Theodore J. Stigell

Docket No. : 51964/K163

Customer No. : 23363

**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
August 7, 2006

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application and patent.

B. BRAUN MELSUNGEN AG, having a place of business at Carl-Braun-Strasse 1, 34212 Melsungen, Germany, represents: (a) that it is the assignee of the entire interest in U.S. patent Application No. 10/779,370, filed February 13, 2004, and entitled SHORT CATHETER by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 011358, frame 0713; and (b) that it is the assignee of the entire interest in U.S. Patent No. 6,709,419, by virtue of the assignment recorded at reel 011358, frame 0713.

**Application No. 10/779,370**


B. BRAUN MEDICAL INC. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 6,709,419, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to U.S. Patent No. 6,709,419, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, B. BRAUN MELSUNGEN AG does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent 6,709,419, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and further that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Tom H. Dao  
Reg. No. 44,641  
626/795-9900

THD/bl

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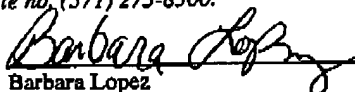
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Examiner : Theodore Stigell  
Docket No. : 51964/K163  
Customer No. : 23363

TRANSMITTAL FOR TERMINAL DISCLAIMER TO  
OBVIATE A DOUBLE PATENTING REJECTION

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

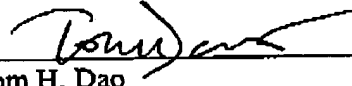
Post Office Box 7068  
Pasadena, CA 91109-7068  
August 7, 2006

Commissioner:

Enclosed is a Terminal Disclaimer to Obviate a Double Patenting Rejection and the statutory fee of \$130 is to be charged to Deposit Account No. 03-1728.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 03-1728. Please show our docket number with any credit or charge to our Deposit Account.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By   
Tom H. Dao  
Reg. No. 44,641  
626/795-9900

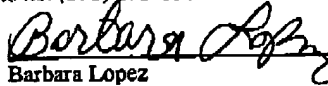
THD/bl  
Enclosures: Terminal Disclaimer  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
AMENDMENT TRANSMITTAL LETTER

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August 7, 2006

Commissioner:

Enclosed is an amendment to the above-identified application.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment	Highest Number Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims Fee	30	*30	0	0 x \$25.00	0 x \$50.00	0
Independent Claims	3	** 3	0	0 x \$100.00	0 x \$200.00	0
Multiple Dependent Claims ***				\$180.00	\$360.00	0
TOTAL FILING FEE						0
NO ADDITIONAL FEE REQUIRED	IF NO FEE REQUIRED, INSERT "0"					0
LIST INDEPENDENT CLAIMS: 1, 13 & 27						
* IF HIGHEST NUMBER PREVIOUSLY PAID FOR IS 20 OR LESS, WRITE "20" IN COLUMN 3 ** IF HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN COLUMN 3 *** PAY THIS FEE ONLY WHEN MULTIPLE DEPENDENT CLAIMS ARE ADDED FOR THE FIRST TIME						


**Amendment Transmittal Letter**  
**Application No. 10/779,370**

\_\_\_\_\_ Attached is our check for \$ to pay the fees calculated above.  
\_\_\_\_\_ A Petition for Extension of Time and the required fee are enclosed.  
X\_\_\_\_\_ Other enclosures: **Force-Diagram (1 pg); Terminal Disclaimer (2 pgs) and**  
**Transmittal for Terminal Disclaimer (1 pg).**

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by or to give effect to this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Tom H. Dao  
Reg. No. 44,641  
626/795-9900

THD/bl

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